

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 09/507,336 Confirmation No. 7956  
Applicant : Scott C. Anderson, et al.  
Filed : February 18, 2000  
Title : Apparatus and Method for Ablating Tissue  
TC/A.U. : 3735  
Examiner : David M. Shay  
Docket No. : 0E-040013US/82410.0027  
Customer No. : 55962

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Applicants submit copies of the references listed on the attached form PTO/SB/08A for consideration and request that the U.S. Patent and Trademark Office make them of record in this application.

Applicant states the following:

☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; or

☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of Applicant(s) no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

☐ In accordance with 37 C.F.R. § 1.97(b), this Information Disclosure Statement is believed to be submitted prior to issuance of a first Office action and/or within three months of the filing date of the application. It is respectfully submitted that no fee is required for consideration of this information. However, in the event any fee is deemed necessary, the Commissioner is authorized to charge the undersigned's Deposit Account No. 50-1129, with reference to Attorney Docket No. 83419.0001.

☒ This Information Disclosure Statement is being submitted after the mailing of a non-final Office Action, but is believed to be prior to a final Office Action or a Notice of Allowance. Pursuant to 37 C.F.R. § 1.97(c), payment in the amount of \$180.00 as set forth in 37 C.F.R. § 1.17(p) is enclosed. The Commissioner is hereby authorized to charge any deficiency in the fees or charge any fee required to keep this application pending to our Deposit Account No. 50-1129.

While the information and references disclosed in this Information Disclosure Statement are submitted pursuant to 37 C.F.R. § 1.56, this submission is not intended to constitute an admission that any patent, publication or other information referred to is "prior art" to this invention. Applicants reserve the right to contest the "prior art" status of any information submitted or asserted against the application.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists. This Information Disclosure Statement is in compliance with 37 C.F.R. § 1.98 and the Examiner is respectfully requested to consider the listed documents and information.

Dated: November 4, 2008

Respectfully submitted,

**WILEY REIN LLP**

By: /David J. Kulik # 36576/  
David J. Kulik  
Registration No. 36576

**WILEY REIN LLP**  
Attn: Patent Administration  
1776 K Street, N.W.  
Washington, D.C. 20006  
**Telephone: 202.719.7000**  
**Facsimile: 202.719.7049**